

**TOWN OF JACKSON
PLANNING BOARD MEETING
February 7, 2023**

The Town of Jackson Planning Board met on February 7, 2023 at 6:30 pm at the Town of Jackson Town Hall. The following people were in attendance-

Board Members:

- Amy Maxwell
- Kelly Donahue
- Erik Vandenberg
- Tim Thomas
- Mark Mahoney
- Irene Headwell
- Steve Chuhta

Others Present:

- Terrence Nolan – New Leaf Energy
- Sharon Dunn - Resident

OPEN MEETING AT 6:30 PM

MINUTES

A **motion** was made by Eric Vandenberg and seconded by Tim Thomas to approve the January 3, 2023 meeting minutes as written. Motion carried in favor 5-0-2. Mark Mahoney and Irene Headwell abstained due to their absence at the January meeting.

Jackson Solar 1, LLC Discussion with New Leaf Energy

Escrow Agreement Review

Chairperson Maxwell shared an update from Town Attorney Alan Wrigley regarding the New Leaf Energy Escrow Agreement. Mr. Wrigley reviewed the Escrow Agreement and suggested adding the following paragraph:

- If the escrowed funds are expended and the engineering reviews are not complete, then the applicant will deposit a further sum in the escrow account to cover the estimated amount of the remaining engineering reviews.

Terrence Nolan of Newleaf Energy was present at the meeting and agreed that this should be added into the Escrow agreement as the company will, if necessary, supply these funds to cover remaining engineering reviews.

After discussion by the Planning Board, a **motion** was made by Steve Chuhta that was seconded by Tim Thomas to amend the Escrow Agreement to include the additional paragraph suggested by Attorney Wrigley. Motion carried 7-0.

New Leaf Energy representative Terrence Nolan introduced himself and explained that New Leaf Energy is the new current owner of Jackson Solar 1, LLC. His firm has reviewed all of the Jackson Solar 1, LLC documentation and had a few requests in relation to the proposed resolutions.

- New Leaf Energy requested that New Leaf Energy be removed as a signatory on the signature page of the Escrow Agreement. The reasoning provided is that Jackson Solar 1, LLC is the signatory, and that will allow for easier transfer to other entities. A question was issued to provide evidence that the Jackson Solar 1, LLC signature is a valid signer.

Site Plan Approval Resolutions

- New Leaf Energy indicated there would be an approximate two-year delay for the Route 22 solar project to proceed forward providing time for National Grid to upgrade the power lines.

The Planning Board Reviewed and discussed the Resolution issuing a negative declaration of Environmental Significance and Approving the site plan for Jackson Solar 1, LLC.

- The Board informally agreed and circled May 1, 2023 – as the deadline for approvals to be in place.
- The Board agreed to check with Steve LeFevre regarding #8 and confirm that the rest of the agreement is in compliance.
- A discussion was held about the need for a building permit for non-residential solar in Washington County. The revised building permit document appears to include non-residential solar projects. Terrence Nolan will confirm with Washington County Official John Graham if Jackson Solar 1, LLC requires a building permit.
- New Leaf Energy shared additional suggested changes to the Site Plan documents, and a subsequent discussion was held. After discussions, it was agreed that proposed revisions will be sent to the Town Supervisor and Town Attorney for their review and consideration.

SUBDIVISION CHECKLIST

Planning Board Member Kelly Donahue presented the Town's current subdivision checklist in comparison to the Town's subdivision regulations. Kelly shared that there are two in our checklist that are not included in the regulations.

A **motion** was made by Irene Headwell and seconded by Steve Chuhta to recommend changing the Town's subdivision regulations to include a locus map and to also show all remaining land from the subdivision on the surveyor documentation. The motion carried 7-0. The matter will be presented to the Town Board.

SOLAR LAW DRAFT EDITS and ADDITIONS

Chairperson Maxwell shared the updates and revisions to the proposed Solar Law.

- Section six, number 8: Agriculture Districts – after discussions with Supervisor Skellie, the language for ag districts still requires some wordsmithing. Review of rewording was conducted and discussed.
- Section seven. Decommissioning – per our consultants, Attorney Terresa Bakner and Steve LeFevre, there is no wording or precedence for language to quantify electrical output.
- The Draft Solar Law will be reviewed at the March Town Board Meeting and will then be reviewed by the County Planning Board and a public hearing date will then be scheduled.

A **motion** was made by Steve Chuhta and seconded by Erik VandenBerg to adjourn the meeting at 8:39 pm.

Motion carried in favor 7-0.

Next Meeting: Tuesday, March 7, 2023 @ 6:30 pm

Adjourned: @ 8:39 pm

Respectfully submitted,

Molly Dixson, Town of Jackson